



**SPECIAL CITY COUNCIL WORKSESSION  
RICHFIELD MUNICIPAL CENTER, BARTHOLOMEW ROOM  
JULY 28, 2015  
5:00 PM**

Call to order

1. Discussion regarding a mid-year goals review. (Council Memo No. 67)

Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



**REGULAR CITY COUNCIL MEETING  
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS  
JULY 28, 2015  
7:00 PM**

**INTRODUCTORY PROCEEDINGS**

Call to order

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

Pledge of Allegiance

Approval of the minutes of the (1) Special City Council Meeting of July 14, 2015; (2) Special City Council Worksession of July 14, 2015; and (3) Regular City Council Meeting of July 14, 2015.

**COUNCIL DISCUSSION**

1. Hats Off to Hometown Hits

**AGENDA APPROVAL**

2. Approval of the agenda.
3. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
  - A. Consideration of the approval of a first reading of an ordinance changing Sunday hours of alcohol service from 10:00 a.m. to 8:00 a.m.

Staff Report No. 112
  - B. Consideration of the approval of the following related to the Taft Lake/Legion Lake Water Quality Improvement Project:
    1. Accept the bid minutes/tabulation and award contract to Minnesota Utilities and Excavation, LLC for \$813,440 for final project phases.
    2. Authorize the City Manager to approve contract changes under \$100,000 without further City Council authorization.

Staff Report No. 113
4. Consideration of items, if any, removed from Consent Calendar

**CITY MANAGER'S REPORT**

5. City Manager's Report

### **CLAIMS AND PAYROLLS**

6. Claims and payrolls

Open forum (15 minutes maximum)

***Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.***

7. Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**

**CITY OF RICHFIELD, MINNESOTA**  
Office of City Manager

July 23, 2015

Council Memorandum No. 67

The Honorable Mayor  
and  
Members of the City Council

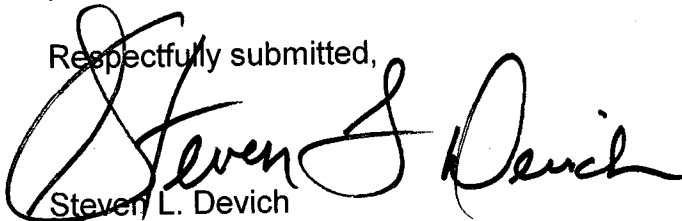
Subject: Mid-year Goals Review  
(Worksession Agenda Item No. 1)

Council Members:

A mid-year City Council/Staff goals' review session is scheduled for 5:00 p.m. on July 28, 2015. The purpose of the session is to review the status of the current year's goals and discuss any concerns, questions and issues related to these goals.

Attached is a 2015/2016 Goals Worksheet, which is used by staff to track the status of the current year's goals and accompanying action steps. The ten goals and action steps were identified by City Council and staff during the March 3rd goal-setting process. Please bring this worksheet to the July 28<sup>th</sup> work session.

Respectfully submitted,



Steven L. Devich  
City Manager

SLD:pd  
Attachment  
Email: Assistant City Manager  
Department Directors

## City of Richfield Goals 2015/2016

### 1. Assess & continue to develop opportunities for environmental sustainability

Action Steps	Assigned to	Deadline	Status
a. Regional Water Supply	Public Works & Elected	On-going	Continuing to follow the discussions and be involved in the development of the Regional Water Supply Master Plan. Met Council has changed their message from moving to surface water to conservation and recharge which is consistent with the City viewpoint. Comments due regarding draft Master Water Supply Plan August 21, 2015.
b. Improve yard waste disposal options	Executive & Rec Services (also LWV)	TBD	A joint meeting with City Council and the Community Services Commission was held on June 23 to begin planning.
c. Organized garbage collection	Executive & Rec Services (also LWV)		
d. Push to the Curb Day	Recreation Services	TBD	A joint meeting with City Council and the Community Services Commission was held on June 23 to begin planning.
e. Airport noise oversight/RNAV implementation	Executive & Elected	On-Going	CC & staff to participate on the Noise Oversight Committee. The next generation arrival procedure (STARS) will be implemented this summer. No date yet for departures (RNAV).
f. Wind/Alternative Energy sources		As opportunities arise	
g. EV Fleet enhancement	Public Works & Elected	As opportunities arise	Becoming familiar with the benefits and how EV Fleet might work in the City.
h. Program to retro-fill 1950 housing to zero energy	Community Development	As opportunities arise	Evaluating house acquisition availability in order to select ideal candidate house.

### 2. Invest in the identity of Richfield

Action Steps	Assigned to	Deadline	Status
a. 1% for public art	Community Development & Public Works	September 2015	Drafting Public Art Policy for Council Consideration this summer.
b. Curb appeal engagement process	Public Safety & CD	Spring of 2015	Monitor main roadways looking proactively for code violations in the EH and Signage area. This is accomplished by using three current staff and one new EH Tech position.
c. Sustainable property maintenance program	Public Safety	Spring 2015	EH Tech staff began work on June 18th and is working 24-26 hours weekly doing proactive EH and sign enforcement.
d. Band Shell	Rec Services & Edwina	TBD	Site Plan Review and Public Hearing was held on May 27. An architect is preparing plans and specification to bid the project. Bid opening is scheduled on August 17, 2015.

e. Innovate & put Richfield on the map	All Depts. & Ambassador Team	On-Going	<p><b>Public Safety</b> - Continue with collaborative projects with our local and regional partners and enhance our Community Oriented Policing Projects.</p> <p><b>HR &amp; Ambassador Team</b> - Completed Employer branding initiative which produced a narrative that will be used for recruitment &amp; retention purposes.</p> <p><b>Fire</b> - Established an innovative and ground-breaking wellness program that is being copied throughout the metro area by other FDs.</p> <p><b>Fire</b> - Established a new officer position to facilitate staff development and prepare individuals for promotion to all ranks.</p> <p><b>Fire</b> - Identified departmental culture in order to improve firefighter recruitment and hiring. Making sure new hires will be a good fit for RFD.</p>
f. Portland Ave sidewalk art	Rec Services & Edwina	On-Going	The Arts Commission is collecting 12 poems in advance of construction.
g. Enhance parks	Rec Services & Edwina	As opportunities arise	New play equipment for Garfield Park has been completed.
h. Plan for a new community center	Rec Services & Edwina	As opportunities arise	The Community Services Commission will begin discussing the topic in September, 2015.
i. Rename 77th Street	Executive, Community Development, and Public Works	On-Going	Held April study session to review Richfield Connect survey results. Council selected a preferred name and City Manager has discussed possibility of extending name into Edina with Edina's City Mgr.

### 3. Plan for future financial needs

Action Steps	Assigned to	Deadline	Status
a. R22 Ice Arena requirement	Rec Services & Admin Services	12/31/2020	This item is still in planning stages.
b. Reserve funds for recurring City costs	Administrative Services	10/31/2015	This new financial policy was approved by the City Council at the June 23, 2015 City Council meeting.
c. Enhance tax base for meaningful development			\$13 million AUDI dealership approved; Developer selected to construct multi-family housing development at Cedar Point II.

### 4. Build a Next Generation transportation system

Action Steps	Assigned to	Deadline	Status
a. Sweet Streets financial planning & next phase	Public Works	Update Annually with CIB/CIP and Budget Approvals	2016-2020 plan completed.
b. Fiber optics for all major road reconstruction	Public Works & Legal & IT	As opportunities arise	2 empty conduits will be included in the Portland Avenue and 66th Street Projects.
c. Coordinate 66th St. reconstruction with redevelopment	Public Works & Community Development	On-Going	Have had multiple meetings with Hennepin County to make them aware of the opportunities along the corridor. Will pursue opportunities as they arise and funding is available.

## 5. Compete in the economy of the future

Action Steps	Assigned to	Deadline	Status
a. Workforce for community & City			Staff drafted a Paid Parental Leave policy for Council consideration & discussion at mid-year goals' review.
b. Diverse workforce	Public Safety	On going	Creating new and innovative ways to reach out to the diverse community to recruit, and hire qualified applicants to match our community demographic. Police has enhanced their diverse workforce to 15 percent for sworn positions.
c. Determine if light industrial makes sense	Community Development		1st Step: Evaluate small scale brewery operations: Currently drafting zoning ordinance to allow for small-scale brewery operations. 2nd step: Continue to evaluate additional light industrial uses as part of Comprehensive Planning process.
d. Create a business accelerator		As opportunities arise	

## 6. Continue to develop a distinct downtown

Action Steps	Assigned to	Deadline	Status
a. Next phase at Lakes at Lyndale	Community Development	On-Going	Developer requested and was granted amendment to land-use approvals to remove the affordable housing component of the project. The City subsequently requested and was granted an amendment to the Met Council grant for the same. Developer to begin grant-related quasi-public improvements in the next few months. Developer to obtain permits for the construction of the multi-family housing component of the development by December 12, 2015 (min. permit value of \$10,000,000). Developer to continue providing monthly updates to the Council.
b. Redevelop HUB	Community Development	As opportunities arise	Staff has had multiple discussions with the current owners of the HUB. They have indicated that they are not interested in making any large-scale changes at this time. Staff will continue to pursue opportunities as they arise.

## 7. Planning for Penn Central's future

Action Steps	Assigned to	Deadline	Status
a. Plan for Penn Ave road construction	Public Works & Community Development		The City has requested that Hennepin County include the reconstruction of Penn Avenue to their funded CIP in 2020.
b. Continue support of Open Streets	Recreation	On-Going	Planning for Open Streets at PennFest is well underway.
c. Solution for Penn Ave parking	Community Development		Planning Commission Study Session was held in May to discuss. General consensus was that parking requirements for businesses in the Penn Avenue Corridor should be significantly reduced, more similar to Minneapolis' current standards and that outreach should be conducted with businesses and area residents, possibly at the Open Streets event. Staff will conduct outreach to garner feedback from the businesses and residents over the next several months.

d. Buy & relocate Penn Liquor	Liquor/Exec/CD	On-Going	Both Liquor and C.D. are actively looking for potential sites.
e. Don't forget about Penn Ave		On-Going	CD allocated \$180,000 in CDBG funds to make streetscape improvements. Working with Public Works, 14 to 18 new pedestrian-scale lights will be installed along the corridor between Crosstown and 67th Street. Additionally, 6 -8 new benches and all new banners, with new logos, will be installed throughout the corridor. This work is scheduled to take place this fall.
f. Designate Penn a historic district for funding		As opportunities arise	

#### 8. Improve quality of life for all residents

Action Steps	Assigned to	Deadline	Status
a. Mental and social service connections for Richfield	Public Safety, Fire & CD	On-Going	Public Safety is training staff in crisis management and partnering with local agencies to provide services to residents in the community. In May 2015 Public Safety trained personnel (Officers and Chaplains) as "Train the Trainers" through the Barbara Schnieder Foundation. We are partnering with Hennepin County on a variety of initiatives with Adult Protection along with Bloomington Public Health.
b. Help people stay healthy & stay in their homes	Fire	On-Going	Fire worked very hard to successfully pass the creation of the Community EMT standard at the legislature. They are now working on curriculum creation and establishing additional partnerships to implement C/EMT.
c. Increase collaboration with schools - more youth opportunities	Public Safety	On-Going	Working with the school district on mentoring opportunities with students and looking at out reach programs and possibly a Police Athletic League (PAL) for more youth opportunities. Met in July with the Superintendent and the Assistant Superintendent on initiatives that the School District and Police can work on. Will be attending the August 7th, 2015 meeting with the Superintendent and all of the building principals to discuss these initiatives.
d. Apartment rehab	Humphrey Institute	As opportunities arise	
e. Lower crime rate through community initiatives	Public Safety	On-going	Creating initiatives with the Business community and through various organizations to educate residents on action steps to take to lower the crime rate regarding our Part I and Part II Crimes. Working with the Richfield Chamber of Commerce to present quarterly programs to the business community on various crime issues that occur that are related to businesses. We have worked hard to lower the crime rate through community programs we have. The Part I crime rate has significantly dropped over the last 2 years. Part 2 has also dropped.
f. Develop more ways to engage new immigrants	Public Safety	On-Going	Use our Joint Community Police Partnership program to enhance our relationships and engage "New Americans" in our community and educate them on services the city provides.

## 9. Implement (N. of 66th St.) & design (S. of 66th St.) for East Richfield

Action Steps	Assigned to	Deadline	Status
a. Extend Cedar Point TIF	Exec. & Community Development	Legislative session	The State Legislature failed to pass the requested legislation in this years' session. We will reintroduce the legislation at next year's session.
b. Move 77th St. underpass forward	Exec. & Elected		The City has secured \$12.5M in funding for the design, acquisition, and construction. Engineering design contract to be awarded August 2015. A \$10M gap still remains. Ongoing funding discussions with Henn. C. Community Works. Design will begin in 2015.
c. Redevelopment plan for East Richfield	Community Development		In process of getting quotes to update the previous development plan.
d. Start development of Richfield Parkway			Pending development proposal.
e. 17th Ave./Cedar Point development		On-Going	Developer (Boisclair Corporation) selected to redevelop the project area with high-density multifamily rental housing and for-sale townhomes. Public input process and drafting of contract for development will commence after HRA meeting July 20. Actively market the area once East Richfield Development Plan is complete.
f. Acquire airport-impacted properties	Community Development	As opportunities arise	1 property acquired in June. Developer (Boisclair) to acquire remaining properties (13).

## 10. Continue & explore opportunities to innovate City government to enhance residents' experience

Action Steps	Assigned to	Deadline	Status
a. Enhance City commission experience	Exec., Admin. & Elected	On-Going	This topic will be discussed at the July 28th mid-year goals' review. A new commissioner orientation was conducted by the City Attorney in February. Staff and City Attorney are also reviewing commission bylaws and will be proposing recommended revisions.
b. Transparency through communication	Exec. & Elected		Staff continue to utilize Richfield Connect for input. Feedback was sought on Cedar Point II redevelopment proposals. City budget is also posted on budget transparency tool on website.
c. Create a "Help Wanted" volunteer list		Not Undertaken Yet.	
d. Eliminate government silos	Staff innovation teams/all Depts.	On-Going	Ongoing innovation teams are working cross-organizationally to address areas such as technology, social media, civic engagement and customer service. Sent team of 4 to Alliance for Innovation Conference. 40 employees participated in employer branding initiative.
e. Increased integration with partners	On-Going	On-Going	
f. City apps for residents	Public Safety	As opportunities arise	Look at Apps to report environmental health violations or move to on-line reporting for citizens on low level crimes. We are currently evaluating this and as part of our move to a new records management program in 2016 the technology for on-line police reporting will be feasible. The App development for property maintenance is being looked into.



# CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

## Special City Council Meeting Advisory Board/Commission Applicant Interviews

July 14, 2015

### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 5:45 p.m. in the Babcock Room.

### ROLL CALL

**MEMBERS PRESENT:** Debbie Goettel, Mayor; Pat Elliott, Michael Howard; Edwina Garcia; and Tom Fitzhenry.

### INTERVIEW OF APPLICANTS

The City Council conducted interviews of the following applicants for appointment to City Advisory Boards and Commissions:

Simon Trautmann
Sara Sadorra
Heather Gibbs

### ADJOURNMENT

The meeting was adjourned by unanimous consent at 6:15 p.m.

Date Approved: July 28, 2015.

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Debbie Goettel  
Mayor

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Theresa Schyma  
Deputy City Clerk

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Steven L. Devich  
City Manager



# CITY COUNCIL MINUTES

Richfield, Minnesota

## Special City Council Worksession

July 14, 2015

### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 6:17 p.m. in the Bartholomew Room.

*Council Members Present:* Debbie Goettel, Mayor; Pat Elliott; Edwina Garcia; Tom Fitzhenry; and Michael Howard

*Staff Present:* Steven L. Devich, City Manager; Kristin Asher, Acting Public Works Director; Robert Hintgen, Utilities Superintendent; Jeff Pearson, Transportation Engineer; Pam Dmytrenko, Assistant City Manager/HR Manager; and Theresa Schyma, Deputy City Clerk.

<b>Item #1</b>	<b>UPDATE REGARDING THE 5-YEAR STREET RECONSTRUCTION PLAN (COUNCIL MEMO NO. 64)</b>
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Acting Public Works Director Asher reviewed the proposed 5-Year Street Reconstruction Plan including 2016-2020 projects and funding outlook. The 5-Year Plan Capital Projects discussed were:

- Residential Mill & Overlay (2015-2020)
- Portland Avenue Reconstruction (2015-2016)
- 66<sup>th</sup> Street Reconstruction (2016-2019)
- 76<sup>th</sup> Street West (2020+)
  - Added to 2016 Mill & Overlay
- 77<sup>th</sup> Street Underpass (2017)
- Nicollet Avenue Reconstruction (2019)
- 65<sup>th</sup> Street Central Reconstruction (2020)
- 66<sup>th</sup> Street Final Design Item
  - Emerson Alley

Acting Public Works Director Asher discussed the Portland Avenue Reconstruction including City Hall access and the traffic control plan for the project.

Council Member Fitzhenry discussed the need for proper signage to help traffic flow.

Council Member Elliott questioned how staff is going to keep residents informed on the 66<sup>th</sup> Street Reconstruction project. Certain areas of the project will be more intrusive and residents need to start being informed soon to help ease the frustration.

Mayor Goettel requested information on the front page of the website as well as information to be included with water bills.

Acting Public Works Director Asher discussed the Sweet Streets website and newsletter and mentioned that there would be a future worksession on this project.

<b>Item #2</b>	<b>DISCUSSION REGARDING EMERSON ALLEY (COUNCIL MEMO NO. 64)</b>
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Transportation Engineer Pearson presented proposed alley access changes at 66<sup>th</sup> Street and Emerson Avenue. He further discussed background information, safety concerns for pedestrians and drivers, and informal feedback that has been received from the neighborhood.

Council Member Fitzhenry questioned access for garbage trucks and snow removal.

The City Council consensus was to explore the options and hear more formal feedback from the neighborhood.

Council Member Elliott stated that they need to find a workable solution and that he would like to see a cost benefit analysis.

<b>ADJOURNMENT</b>
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The meeting was adjourned by unanimous consent at 6:58 p.m.

Date Approved: July 28, 2015

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Debbie Goettel  
Mayor

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Theresa Schyma  
Deputy City Clerk

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Steven L. Devich  
City Manager



# CITY COUNCIL MEETING MINUTES

## Richfield, Minnesota

### Regular Meeting

July 14, 2015

#### CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:00 p.m. in the Council Chambers.

*Council Members Present:*

Debbie Goettel, Mayor; Pat Elliott; Edwina Garcia; Tom Fitzhenry; and Michael Howard

*Staff Present:*

Steven L. Devich, City Manager; Jim Topitzhofer, Recreation Services Director; Jay Henthorne, Public Safety Director; Kristin Asher, Acting Public Works Director; Pam Dmytrenko, Assistant City Manager/HR Manager; Melissa Poehlman, City Planner; Mary Tietjen, City Attorney; and Theresa Schyma, Deputy City Clerk.

#### OPEN FORUM

None.

#### PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

#### APPROVAL OF MINUTES

M/Fitzhenry; S/Elliott to approve the minutes of the (1) Special City Council Worksession of June 15, 2015; (2) Special City Council Closed Executive Session of June 18, 2015; (3) Special Concurrent City Council & Community Services Commission Worksession of June 23, 2015; and (4) Regular City Council Meeting of June 23, 2015.

Motion carried 5-0.

Item #1	<b>COUNCIL DISCUSSION</b> <ul style="list-style-type: none"><li>Hats Off to Hometown Hits</li></ul>
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Acting Public Works Director Asher presented a Portland Avenue Reconstruction update, including detours, timeline, and how residents can find the latest information concerning the project.

Mayor Goettel announced that there was an individual to speak during Open Forum that was missed.

The City Council consensus was to allow this individual to address the Council.

Linda Nemitz, 7978 Thomas Avenue, discussed her concerns with the potential cluster housing development at 76<sup>th</sup> Street and Sheridan Avenue.

Mayor Goettel requested that staff follow-up with Ms. Nemitz to address her concerns.

Council Member Elliott commented on the new play equipment at several parks and mentioned it is nice to see the youth in the community enjoying the City parks this summer.

Recreation Services Director Topitzhofer announced the August 1 Urban Wildland half marathon.

Council Member Garcia made several announcements related to upcoming Richfield events.

The City Council complimented the 4<sup>th</sup> of July Committee for the wonderfully successful events that were planned this year.

Public Safety Director Henthorne gave information on how residents can register their August 4 National Night Out party.

<b>Item #2</b>	<b>COUNCIL APPROVAL OF AGENDA</b>
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Mayor Goettel removed Items #7 and 8 from the agenda. She said there was a request from the Minnesota Department of Transportation to delay the items due to a paperwork issue. This paperwork issue will not delay the project start date.

M/Garcia, S/Fitzhenry to approve the agenda as amended.

Motion carried 5-0.

<b>Item #3</b>	<b>CONSENT CALENDAR</b>
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- A. Consideration of the approval of setting a public hearing to be held on August 11, 2015, for the consideration of the issuance of new On-Sale Wine and 3.2 Percent Malt Liquor licenses for My Burger Operations, LLC d/b/a My Burger, 6555 Lyndale Avenue South. Staff Report No. 100
- B. Consideration of the approval of a resolution allowing the Richfield Department of Public Safety to accept funds in the amount of \$37,964 from the Minnesota Department of Commerce Auto Theft Prevention Grant. Staff Report No. 101

#### RESOLUTION NO. 11093

RESOLUTION AUTHORIZING RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY/POLICE TO ACCEPT THE AUTO THEFT PREVENTION GRANT FROM THE MINNESOTA DEPARTMENT OF COMMERCE FOR \$37,964 TO BE USED TO PURCHASE TWO AUTOMATED LICENSE PLATE READERS

This resolution appears as Resolution No. 11093.

- C. Consideration of the approval of an agreement to extend an easement as part of a Site Lease Agreement at 7401 Logan Avenue South between the City of Richfield and T-Mobile Central LLC (successor-in-interest to APT Minneapolis Inc.). Staff Report No. 102
- D. Consideration of the approval of the Encroachment Agreement between the City of Richfield and the owner of 6253 Penn Avenue allowing the existing building to remain within the County Auditor's Easement. Staff Report No. 103
- E. Consideration of the approval of a two-year Use and Indemnification Agreement between the City of Richfield and Tom Price for the use of a 4,690 square-foot strip of land along the edge of Lincoln Field. Staff Report No. 104
- F. Consideration of the approval of the purchase of an MT Trackless tractor, with v-plow and snow blower attachments, from Mac Queen Equipment Inc. in the amount of \$119,099. Staff Report No. 105
- G. Consideration of the approval of a resolution authorizing acceptance of a grant from the U.S. Department of Agriculture in the amount of \$2,743.66, and authorizing Recreation Services Staff to administer the funds in accordance with the attached grant agreement and terms prescribed by donors to operate the Supplemental Nutrition Assistance Program at the Richfield Farmers Market. Staff Report No. 106

#### RESOLUTION NO. 11094

#### RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE U.S. DEPARTMENT OF AGRICULTURE IN THE AMOUNT OF \$2,743.66, AND AUTHORIZING RECREATION SERVICES STAFF TO ADMINISTER THE FUNDS IN ACCORDANCE WITH GRANT AGREEMENT AND TERMS PRESCRIBED BY DONORS, TO OPERATE THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM AT THE RICHFIELD FARMERS MARKET

This resolution appears as Resolution No. 11094.

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 5-0.

<b>Item #4</b>	<b>CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR</b>
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None.

<b>ITEM #5</b>	<b>PUBLIC HEARING REGARDING RESOLUTIONS FOR A CONDITIONAL USE PERMIT, VARIANCE AND PRELIMINARY PLAT TO ALLOW CONSTRUCTION OF A CLUSTER HOUSING DEVELOPMENT CONSISTING OF FIVE TOWNHOMES AT THE INTERSECTION OF 76TH STREET AND SHERIDAN AVENUE. STAFF REPORT NO. 107</b>
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Council Member Elliott presented Staff Report No. 107.

City Planner Poehlman discussed the history of the site.

M/Fitzhenry, S/Elliott to close the public hearing.

Motion carried 5-0.

Mayor Goettel commented on the respectful relationship with the development company and how they worked with staff and Council to address concerns and make changes to fit the neighborhood.

Eden Spencer, GHMC representative, discussed the timeline and was available for any questions regarding the properties.

M/Elliott, S/Goettel that the following resolutions be approved:

RESOLUTION NO. 11095

RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT AND VARIANCES  
FOR A CLUSTER HOME DEVELOPMENT AT 2517 – 76TH STREET WEST

This resolution appears as Resolution No. 11095.

RESOLUTION NO. 11096

RESOLUTION GRANTING PRELIMINARY APPROVAL OF A PLAT FOR  
SHERIDAN VILLAS ADDITION

This resolution appears as Resolution No. 11096.

Motion carried 5-0.

<b>ITEM #6</b>	<b>PUBLIC HEARING REGARDING A RESOLUTION FOR A PRELIMINARY PLAT OF THE RICHFIELD PROPERTIES LLC ADDITION THAT WILL COMBINE FOUR PARCELS (1400 - 78TH ST E, 1420 - 78TH ST E, 1500 - 78TH ST E, AND 7711 - 14TH AVE) IN ORDER TO ALLOW CONSTRUCTION OF AN AUDI CAR DEALERSHIP. STAFF REPORT NO. 108</b>
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Council Member Garcia presented Staff Report No. 108.

City Planner Poehlman stated this item was more of a housekeeping issue to get the land ready and prepared for the new development since the development has already been approved.

David Phillips, architect, gave an update and timeline for the project.

M/Garcia, S/Goettel to close the public hearing.

Motion carried 5-0.

M/Garcia, S/Fitzhenry that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11097

RESOLUTION GRANTING PRELIMINARY APPROVAL OF A PLAT FOR  
RICHFIELD PROPERTIES LLC

Motion carried 5-0. This resolution appears as Resolution No. 11097.

<b>ITEM #7</b>	<b>CONSIDERATION OF A RESOLUTION APPROVING A LOCAL ROAD IMPROVEMENT PROGRAM GRANT AGREEMENT IN THE AMOUNT OF \$2,500,000 FOR THE DESIGN OF THE 77TH STREET EXTENSION AND TRUNK HIGHWAY 77 CROSSING PROJECT. STAFF REPORT NO. 109</b>
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This item was removed from the agenda.

<b>ITEM #8</b>	<b>CONSIDERATION OF A PROPOSAL FOR WSB AND ASSOCIATES, INC. TO PROVIDE PRELIMINARY AND FINAL DESIGN SERVICES AND ENVIRONMENTAL DOCUMENTATION FOR THE 77TH STREET EAST EXTENSION AND TRUNK HIGHWAY 77 CROSSING PROJECT FOR AN AMOUNT OF \$2,165.000. STAFF REPORT NO. 110</b>
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This item was removed from the agenda.

<b>ITEM #9</b>	<b>CONSIDERATION OF THE APPOINTMENTS TO CITY ADVISORY COMMISSIONS. STAFF REPORT NO. 111</b>
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Council Member Howard presented Staff Report No. 111.

M/Howard, S/Fitzhenry to appoint the following persons to the City advisory commissions:

#### **HUMAN RIGHTS COMMISSION**

<u>Name</u>	<u>Term Expires</u>
Simon Trautmann	January 31, 2017

#### **ARTS COMMISSION**

<u>Name</u>	<u>Term Expires</u>
Sara Sadorra	January 31, 2017
Heather Gibbs	January 31, 2018

Motion carried 5-0.

<b>Item #10</b>	<b>CITY MANAGER'S REPORT</b>
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No report.

<b>Item #11</b>	<b>CLAIMS AND PAYROLLS</b>
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M/Fitzhenry, S/Elliott that the following claims and payrolls be approved:

<b>U.S. Bank</b>		<b>07/14/15</b>
A/P Checks: 241872-242316	\$	3,578,690.33
Payroll: 111298-111672	\$	621,818.36
TOTAL	\$	4,200,508.69

Motion carried 5-0.

**OPEN FORUM**

None.

**ADJOURNMENT**

The City Council Meeting was adjourned by unanimous consent at 7:44 p.m.

Date Approved: July 28, 2015

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Debbie Goettel  
Mayor

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Theresa Schyma  
Deputy City Clerk

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Steven L. Devich  
City Manager



AGENDA SECTION:

CONSENT CALENDAR

AGENDA ITEM #

3.A.

## **STAFF REPORT NO. 112**

### **CITY COUNCIL MEETING**

**7/28/2015**

REPORT PREPARED BY: Betsy Osborn, Support Services Manager

DEPARTMENT DIRECTOR REVIEW: Jay Henthorne, Public Safety Director  
7/20/2015

OTHER DEPARTMENT REVIEW:

CITY MANAGER REVIEW: Steven L. Devich  
7/22/2015

#### **ITEM FOR COUNCIL CONSIDERATION:**

**Consideration of the approval of a first reading of an ordinance changing Sunday hours of alcohol service from 10:00 a.m. to 8:00 a.m.**

#### **EXECUTIVE SUMMARY:**

The City Code currently states that hotels, restaurants and clubs that hold an on-sale intoxicating liquor license may obtain a Sunday sales license and serve alcoholic beverages between the hours of 10:00 a.m. Sunday and 2:00 a.m. Monday. On May 1, 2015, the Governor signed the Omnibus Liquor Bill that includes language allowing the sale of intoxicating liquor to begin at 8:00 a.m. on Sundays. The City is not required to allow Sunday liquor sales at 8:00 a.m. It is optional under State law.

#### **RECOMMENDED ACTION:**

**By Motion: Approve the first reading of an ordinance allowing for Sunday liquor sales to begin at 8:00 a.m. and schedule a second reading of the ordinance for August 11, 2015.**

#### **BASIS OF RECOMMENDATION:**

##### **A. HISTORICAL CONTEXT**

- The City has historically allowed Sunday liquor sales to begin at 10:00 a.m., consistent with State law.

##### **B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The City Code currently allows Sunday liquor sales to start at 10:00 a.m.
- On May 1, 2015, the Omnibus Liquor Bill included language allowing Sunday liquor sales to begin at 8:00 a.m.
- The City has the authority to regulate liquor sales and hours of operation for liquor establishments in the City.
- Adopting the earlier time will provide greater flexibility for establishments holding Sunday licenses.

##### **C. CRITICAL TIMING ISSUES:**

There are no critical timing issues.

##### **D. FINANCIAL IMPACT:**

There is no financial impact.

E. **LEGAL CONSIDERATION:**

The City Attorney drafted the ordinance and will be available for questions.


**ALTERNATIVE RECOMMENDATION(S):**

The Council could leave the City Code as is, which means that those liquor establishments with Sunday licenses would not be able to serve alcohol until 10:00 a.m. on Sundays.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

There are no parties expected at this meeting.

**ATTACHMENTS:**

Description	Type
 Sunday 8:00 a.m. Liquor Ordinance	Ordinance

**BILL NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 1202 OF THE CITY CODE  
PERTAINING TO SUNDAY LIQUOR SALES**

**THE CITY OF RICHFIELD DOES ORDAIN:**

Section 1. Subsection 1202.05, subd. 3(c), of the Richfield City Code is amended as follows:

**Subd. 3. Types of licenses.** The following types of licenses will be issued by the City:

...

**(c) Sunday Sales.**

(1) Hotels, restaurants and clubs that hold an on-sale intoxicating liquor license and that have facilities for serving not less than 40 guests at one (1) time, may obtain a Sunday sales license and serve alcoholic beverages between the hours of ~~10:00~~ 8:00 a.m. Sunday and 2:00 a.m. Monday in conjunction with the serving of food.

(2) No separate public hearing, bond, investigation fee or insurance is required for a Sunday sales license.

(3) An applicant for a Sunday sales license may adopt, and need not repeat, the information contained in its on-sale license application, for use in its Sunday license application.

Sec. 2. Subsection 1202.21, subd. 2, of the Richfield City Code is amended as follows:

**Subdivision 1.** All licenses are subject to the restrictions in this subsection, unless otherwise provided.

**Subd. 2. Hours of operation.**

(a) No sale of alcoholic beverages may be made:

(1) Between the hours of 2:00 a.m. and ~~10:00~~ 8:00 a.m. on Sunday; and

(2) Between the hours of 2:00 a.m. and 8:00 a.m. on Monday through Saturday.

(b) Any establishment that keeps or sells alcoholic beverages must be closed to the public by 2:00 a.m. After 2:00 a.m., no person may remain on the premises, except the owner or licensee, or the owner's or licensee's agents or employees only for the purpose of cleaning, preparing meals, making repairs or performing other work-related duties.

(c) It is unlawful for alcoholic beverages to be drunk or consumed on the licensed premises during the times when the sale of alcoholic beverages is prohibited. During the times that such sale is prohibited, no alcoholic beverages are permitted to be on any table, booth, bar, or other place in the licensed premises.

Sec. 3. This Ordinance will be effective in accordance with Section 3.09 of the City Charter.

Adopted this \_\_\_\_ of \_\_\_\_\_, 2015.

By: \_\_\_\_\_  
Debbie Goettel, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth VanHoose, City Clerk



AGENDA SECTION:

CONSENT CALENDAR

AGENDA ITEM #

3.B.

## **STAFF REPORT NO. 113**

### **CITY COUNCIL MEETING**

**7/28/2015**

REPORT PREPARED BY: Elizabeth Finnegan, Civil Engineer

DEPARTMENT DIRECTOR REVIEW: Kristin Asher, Acting Public Works Director  
7/20/2015

OTHER DEPARTMENT REVIEW: N/A

CITY MANAGER REVIEW: Steven L. Devich  
7/22/2015

#### **ITEM FOR COUNCIL CONSIDERATION:**

Consideration of the approval of the following related to the Taft Lake/Legion Lake Water Quality Improvement Project:

1. Accept the bid minutes/tabulation and award contract to Minnesota Utilities and Excavation, LLC for \$813,440 for final project phases.
2. Authorize the City Manager to approve contract changes under \$100,000 without further City Council authorization.

#### **EXECUTIVE SUMMARY:**

A Cooperative Agreement was approved by City Council on October 9, 2012 between the City of Richfield and Minnehaha Creek Watershed District (MCWD) for the funding and construction of the Taft Lake/Legion Lake Water Quality Improvement Project, including the construction of Richfield Parkway Connection.

The attached Taft Lake/Legion Lake Water Quality Improvement Project Detail Map identifies the elements of the project. City Council approved Phase 1 of the project on June 10, 2014.

The final phases of the project include:

- Purchase and installation of the flocculation system at Taft Lake; and
- Planting of native buffers at Legion Lake

An ad for bid was placed in the Richfield Sun Current on June 11, 2015. Bids for the construction of the final phases of the Taft Lake Water Quality Improvement Project were opened on June 30, 2015. Minnesota Utilities and Excavation, LLC was the lowest responsible bidder.

#### **RECOMMENDED ACTION:**

By Motion:

1. Accept the bid minutes/tabulation and award contract to Minnesota Utilities and Excavation, LLC for \$813,440.00 to complete the final phases of the Taft Lake/Legion Lake Water Quality Improvement Project.
2. Authorize the City Manager to approve contract changes under \$100,000 without further City Council authorization.

#### **BASIS OF RECOMMENDATION:**

##### **A. HISTORICAL CONTEXT**

- City Council approved the ordering of the project on February 12, 2013.
- City Council awarded Phase 1 of the project to Belaire Builders, Inc. on June 11, 2014.

- Advertisements for Bids for Phase 2 was published on June 22, 2015.
- Minnesota Utilities and Excavation, LLC was the lowest responsible bidder.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Council approval is required for expenditures over \$100,000.
- All contracts over \$100,000 require sealed bids solicited by public notice.

**C. CRITICAL TIMING ISSUES:**

- The acceptance of the bid tabulation and the award of contract will allow complete project start-up in spring of 2016.

**D. FINANCIAL IMPACT:**

- One bid was received; the bid was \$813,440.00.
- The Engineer's Opinion of Cost for construction was \$671,750.
- This contract will be funded by the Minnehaha Creek Watershed District via City General Obligation Bond and Storm Water Utility (53000) funds.

**E. LEGAL CONSIDERATION:**

- The City attorney will be available to answer questions.
- The City is required to complete this project per the cooperative agreement with Minnehaha Creek Watershed District.

**ALTERNATIVE RECOMMENDATION(S):**

- The Council may postpone the award of the contract or reject the bids and direct staff on how to proceed.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

Description	Type
📎 Construction Contract	Contract/Agreement
📎 Project Map	Backup Material
📎 Bid Tabulation	Backup Material

**CITY OF RICHFIELD**  
**HENNEPIN COUNTY, MINNESOTA**  
**CONTRACT FOR MUNICIPAL CONSTRUCTION**

**City Project No. 53004**

**Contract No. 2810**

**Bid No. 15-06**

**Class of Work: Flocculation System and Native Buffers**

THIS AGREEMENT is made this 28th day of July, 2015, between the City of Richfield, Minnesota, acting by and through its Mayor and City Manager ("City") and Minnesota Utilities and Excavation, LLC. ("Contractor").

1. **Contract Price.** The Contractor, in consideration of the payment of the contract price – Eight Hundred Thirteen Thousand Four Hundred Forty Dollars and Zero Cents (\$813,440) – will furnish all materials (except such as are specified to be furnished by the City, if any), all necessary tools and equipment, and do and perform all the necessary work and labor for the full completion of the City Project: **Taft Lake/Legion Lake Phase 2 ("Project")**.
2. **Compliance with Plans.** Contractor shall complete the Project as shown in the approved plans, specifications and special provisions (collectively, "Plans") that are on file in the office of the City's Public Works Department. The Plans are attached and are made a part of this Agreement.

Contractor agrees that all work shall be done and performed in the best and most proficient manner and that all materials and labor shall be in strict conformity with the Plans for the Project. All work is subject to inspection and approval by the City Engineer, or her authorized designee. If the City rejects any material or labor as defective or unsuitable, then the Contractor must remove the rejected materials and replace it with material approved by the City Engineer, at the cost of the Contractor. The Contractor must also perform anew any rejected labor to the satisfaction and approval of the City Engineer, or her designee, at the cost and expense of the Contractor.

3. **Commencement and Completion of Work.** The Contractor further agrees that it will commence work as soon after the Pre-Construction Meeting and as appropriate permits have been obtained, and will have all work done and the improvement fully completed to the satisfaction and approval of the City Council of the City of Richfield, Minnesota, on or before September 15, 2015.
4. **Delays and Liquidated Damages.** Time is of the essence for completion of the Project. If the Contractor fails to complete the Project within the time herein specified, the City shall have the

right to deduct from the unpaid part of the contract price, liquidated damages (it being impossible to determine the actual damages occasioned by the delay) of \$1,200 for each calendar day of delay, until the work is completed.

Upon receipt of written notice from the Contractor that there will be delay in completion of the Project, the City may in its discretion extend the date for completion. In such case, the Contractor shall become liable for liquidated damages only for failure to perform within the time so extended.

If delays are caused by the weather, labor strikes or other factors not caused by Contractor and Contractor cannot provide written notice as described above, then the City may also in its discretion excuse such delays and extend the date for completion.

5. **Claims for Extra Work or Materials.** Contractor shall not do any work or furnish any materials not covered by the Plans and this Agreement, unless such work or materials is first ordered in writing and approved in writing by the City. If Contractor performs such extra work or provides additional materials without the required written order and approval, the additional costs shall be borne by Contractor.
6. **City Not Liable.** The City, including its Council, employees and agents, shall not be liable or responsible in any manner to the Contractor, its subcontractors, materialmen, laborers or any other person for any claim, demand, damages, actions, or causes of action of any kind arising out of this Agreement or the performance and completion of the Project described herein.

Dated at Richfield, Minnesota, this 28th day of July, 2015.

Signatures for:

Minnesota Utilities and Excavation, LLC. (Contractor)

By \_\_\_\_\_

Its \_\_\_\_\_

Signatures for:

CITY OF RICHFIELD, MINNESOTA (City)

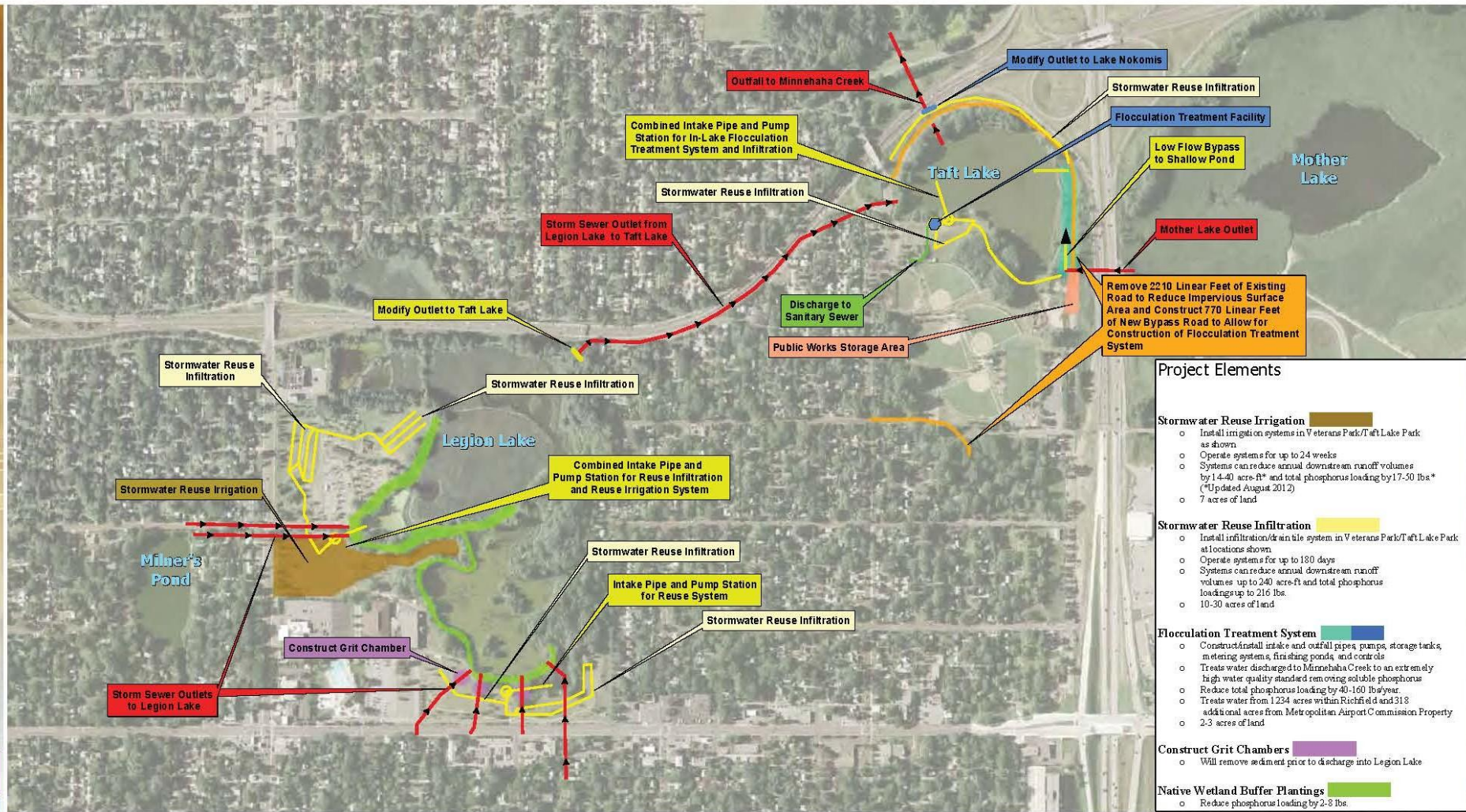
By \_\_\_\_\_

Its City Manager, Steven L. Devich

By \_\_\_\_\_

Its Mayor

# Detail Map



RICHFIELD

## Taft Lake Water Quality Improvement Project

**CITY OF RICHFIELD, MINNESOTA**

Bid Opening  
June 30, 2015  
9:00 a.m.

Taft Lake Phase II  
Bid No. 15-06

Pursuant to requirements of Resolution No. 1015, a meeting of the Administrative Staff was called by Elizabeth VanHoose, City Clerk, who announced that the purpose of the meeting was to receive, open and read aloud, bids for the Taft Lake Phase II Project, as advertised in the official newspaper on June 11, 2015.

Present: Elizabeth VanHoose, City Clerk  
Robert Hintgen, Utilities Superintendent  
Theresa Schyma, City Manager Representative

The following bids were submitted and read aloud:

Bidder's Name	Bid Bond	Non-Collusion	Responsible Contractor Certificate	Total Base Bid
Minnesota Utilities & Excavation Forest Lake, MN	Yes	Yes	Yes	\$ 813,440.00*

\*corrected amount

The City Clerk announced that the bids would be tabulated and considered at the July 14, 2015 City Council Meeting.

Elizabeth VanHoose City Clerk